

Supplementary material to the interim report on the situation  
of human rights in Afghanistan prepared by the Special  
Rapporteur of the Commission on Human Rights in accordance  
with Commission resolution 1986/40 of 12 March 1986 and  
Economic and Social Council decision 1986/136 of 23 May 1986  
(A/41/778, annex)

## INFORMATION CONCERNING RESPECT FOR HUMAN RIGHTS IN AFGHANISTAN

### A. Situation before the intervention of foreign troops in December 1979

1. In his previous reports, the Special Rapporteur endeavoured to show that in the course of the Saur Revolution (April 1978) there was opposition to the reform decrees and their implementation. These reforms, which were strictly implemented, had affected customary law, the customs and traditions of the majority of the population in the rural areas and the religious consciousness of much of the population. The manner in which the reforms, which had not been approved by Loya Jirgah, were implemented provoked resistance, which developed into a virtual uprising and in turn gave rise to stronger governmental pressure.

2. The Special Rapporteur also mentioned the case of a number of persons considered to have disappeared before December 1979. In his latest report to the Commission on Human Rights (E/CN.4/1986/24, para. 47), the Special Rapporteur referred to new examples of missing persons in Herat. During the recent investigation of the situation of human rights in Afghanistan the Special Rapporteur was informed by an eyewitness that, in September 1978, in Laghman Province, 360 people, mostly civilians, had been taken away blindfolded and handcuffed and it was stated that they had subsequently been burnt alive.

### B. Situation since the intervention of foreign troops on 27 December 1979

3. As stated earlier, the intervention of foreign troops in Afghanistan constitutes a landmark in the human-rights situation in the country, which has been affected since then by both the internal political situation before the intervention and the armed conflict that developed throughout the country as a result of that intervention. These two aspects of the situation are governed by distinct international criteria in the field of human rights.

#### 1. Situation of human rights in Afghanistan independent of the armed conflict

##### (a) Right to life

4. During the reporting period, the Special Rapporteur has received information on some cases of death sentences.

##### (b) Right to liberty and security of person; prison conditions

5. In his previous report to the Commission (E/CN.4/1986/24, paras. 54 and 55), the Special Rapporteur referred, as an example, to the fate of Mr. Hassan Kakar and in particular to his conditions of imprisonment in the Pol-i-Charkhi Prison in Kabul. The latest information shows that the fate of this famous historian has not

changed much since January 1986 and he is still living in humiliating conditions. According to additional information Mr. Kakar has been transferred to block III of this prison and shares a cell with three inmates; the medical and the hygienic facilities remain very poor.

6. New information concerning prison conditions has been communicated to the Special Rapporteur in Quetta by two Australians, Ms. Jenny Lade, teacher of sculpture at the University of Baluchistan, and Robert Williamson, expert of forestry working on a project financed by the World Bank in Baluchistan, who were kidnapped by members of the Sassouli tribe on 18 May 1985 while proceeding to the site of the project located in the Maslakh Forest Reserve (west of Quetta). Detained for two weeks in the tribal area on the border of Pakistan and Afghanistan, they were transferred to Kandahar by a helicopter identified as belonging to the Afghan military forces. Two days later they were transferred to Kabul and detained in Sadarat Prison. During their transfer from the tribal area to Kandahar and Kabul they were blindfolded and handcuffed. During their detention they were separated.

#### Jenny Lade's conditions of imprisonment

7. Detained from 2 June to 27 December 1985 in a cell measuring 10 feet by 10 feet with up to four political prisoners waiting to be convicted (she was told that some of them had been detained for up to 22 months without trial) she was not permitted to inform the Australian Embassy of her detention. The women detained with her with aged between 17 and 65 years and some were accompanied by their babies. During the period of detention, although she received sufficient quantities of food, the nutritional value of the food was so low that she eventually contracted scurvy. Accordingly to information given to her by an inmate, there had been cases of ill-treatment of women previously detained at the Sadarat Prison (some of them were allegedly hung up by their arms and beaten on their legs, and she had seen an inmate with bruises on her legs). The time outside the cell was limited to half an hour a day. She described the cell as being in poor condition, with a leaking roof and the floor covered with insects and rats. Other inmates could receive parcels once fortnightly from relatives, containing food, clothes and money. However, some of the contents of the parcels were withheld by prison warders.

8. In October 1985, she was charged with illegal entry into Afghanistan, membership of the CIA and involvement with Pashtu tribesmen for counter-revolutionary activities. Thereafter she was given half an hour to write her defence. During her entire detention she was not allowed either to write to her family or to have a lawyer. However, she was obliged to write two letters in accordance with guidelines, dictated to her by a police officer (interrogator), stating that she was in good health and alive. The letter was sent to the Pakistani authorities and the Australian Embassy in Islamabad. She was released without trial on 27 December 1985, the same day as Mr. Williamson.

#### Robert Williamson's conditions of imprisonment

9. Detained for the same period as Ms. Lade, Mr. Williamson was completely isolated from the other detainees for five months. He was not permitted to inform the Australian Embassy or anyone else of his detention. Unlike other inmates, he

was not allowed any physical exercise; his only option was to walk up and down his cell. He was charged with illegal entry into Afghanistan, membership of the CIA and involvement with Pashtu tribesmen for counter-revolutionary activities. However, he received enough time and paper to prepare his defence. During his entire detention he was not allowed either to write to his family or to contact a lawyer. He was released without trial on 27 December 1985, the same day as Ms. Lade.

10. According to information given to him by inmates, there had been cases of torture by electric shocks; he was also told of a 16-year-old detainee and the case of a man kept in detention for three and a half years without trial. Cries and screams could be heard during the night from different parts of the prison.

11. The Special Rapporteur has on other occasions received information describing similar prison conditions concerning convicted prisoners (see E/CN.4/1986/24, paras. 55 and 56). The information so received was reflected in his previous reports.

12. A driver working for the Water and Power Development Authorities project group informed the Special Rapporteur that he had been kidnapped by Asmatullah tribesmen on 29 November 1985 under similar circumstances to those of the two Australians while proceeding to a village located near Chaman. He had also been handed over to Afghan authorities in Spin Baldak and then transferred to a prison in Kandahar. Two and a half months later he was transferred to Pol-i-Charkhi Prison in Kabul, and charged with illegal entry into Afghanistan. According to his testimony, there have been cases of ill-treatment of detainees who were allegedly forced to stand on one leg in the snow for an hour at a time. On 16 August 1986 he was released without trial as part of an exchange of prisoners. It was also stated to the Special Rapporteur that other Pakistan citizens who had been kidnapped under similar circumstances were still in Afghan custody; no further information about the fate of these persons was available.

13. The Special Rapporteur has been informed about the continuation of torture and ill-treatment in Khad interrogation centres during interrogation. According to new information, during interrogation the following severe methods of torture are still being used on men and women: pulling out finger nails, systematic beating and psychological pressure. Information has been received about particularly harsh disciplinary measures in the Pol-i-Charkhi Prison. Two persons reported that they have been held for days and nights handcuffed and with their knees bound, in a very small, dirty, humid cell. They showed marks on their arms and legs to the Special Rapporteur. One of these persons gave the Special Rapporteur a copy of a judgement delivered by a revolutionary court and a copy of a decision releasing the same person in accordance with the implementation of the Amnesty Decree declared on the occasion of the Loya Jirgah which took place on 4 July 1986.

(c) Right to self-determination

14. In his previous report to the General Assembly, the Special Rapporteur provided information on the Loya Jirgah held in April 1985, and the decisions taken at that assembly, including a message addressed to the Secretary-General (A/40/273-S/17135, annex).

15. In addition, the Special Rapporteur was informed about the adoption of new policy under Mr. Najib. It was said that attempts had been made to give the new Government broader recognition through local jirgahs. However, the local jirgahs which took place during the period under review were described by many witnesses as an establishment of "defence committees" presented in the form of an elected assembly.

(d) Impact of conflicting ideologies on cultural life in Afghanistan

16. The Special Rapporteur has received additional information confirming the fact that the educational system in Afghanistan is largely based on non-traditional ideas. This is at variance with article 18, paragraphs 1 and 4, of the International Covenant on Civil and Political Rights. The educational system applied to many children sent abroad through the institution known as perwarischgahi watan (homeland nursery) is still in force and children are still enrolled in this institution against their parents' will. The Special Rapporteur was told that some children are sent to the Soviet Union for a short period of time and used thereafter as spies. A 16-year-old boy informed the Special Rapporteur that he had been sent to the Soviet Union against his will, trained for two months in espionage and forced to collect information on the activities of opposition movements based in Peshawar (see also E/CN.4/1986/24, paras. 64-66).

2. Situation of human rights resulting from the armed conflict in Afghanistan

(a) General survey

17. Pursuant to the request of the Commission on Human Rights in paragraph 6 of its resolution 1985/38, the Special Rapporteur proposes to provide information on the casualties sustained by the civilian population in Afghanistan as a result of the situation now prevailing in that country.

18. The provision of such information is dependent upon two basic requisites: first, access to areas where bombardments took place; and, secondly, the technical knowledge and expertise to assess the material damage resulting from these bombardments of civilians. As regards the first element, since the Special Rapporteur is denied access to the territory, he is obliged to take into consideration all other information available to him that he deems reliable, as corroborated by numerous sources. The second element is a matter outside his competence, and he will limit himself to describing, as far as possible, the nature and extent of the bombardments in question.

19. The Special Rapporteur has followed the situation in the country as reflected in the information available to him, including reports on several incidents which came to his knowledge. As already mentioned above, new tactics are being used in order gradually to close the routes often used by the opposition forces as well as Afghan refugees. Many reports show that the governmental forces or foreign troops are trying to seal border areas to prevent the flow of persons, including refugees, across the borders; this has resulted in the loss of many lives as well as property

and has made it difficult to evacuate the wounded. Furthermore, many casualties have been reported as a result of the military campaign to secure the main highways linking the larger towns and the northern border and to establish new military posts along the highways and in the larger cities and airfields. Cities like Herat and Kandahar are reported to have been largely destroyed and to be mainly controlled by opposition movements. Intense fighting was reported to have taken place also in the northern and south-eastern regions. Toy bombs are still used, affecting the civilian population, especially children and animals. The Special Rapporteur was informed of the use of bombs which were said to disperse hundreds of fragments similar to small blades. The use of such bombs has been confirmed by many wounded persons during the visits of the Special Rapporteur to hospitals.

20. At this stage, the Special Rapporteur would like, once again, to state that, in his view, all parties to the conflict, including the foreign troops and the opposition movements, are at least bound by article 3 common to the Geneva Conventions of 1949. An exhaustive study by the International Committee of the Red Cross entitled "Les Conventions de Genève et la réciprocité", prepared by J. de Preux (Geneva, 1985), demonstrates that the implementation of article 3 of the Geneva Conventions does not require any reciprocity and is accordingly binding on any party to a conflict regardless of whether the other party abides by these norms.

**(b) Casualties resulting from bombardments and other forms of warfare, in particular concerning the civilian population**

21. The gravity of the conflict is illustrated by the high civilian casualties resulting from bombardments and massacres which were reported to have occurred during searches for members of opposition movements carried out by the military forces. Statistics received by the Special Rapporteur show that the number of civilian deaths has diminished during 1986 (see annex).

22. The Special Rapporteur has already provided a statistical survey of civilian casualties during 1985 (E/CN.4/1986/24, para. 72). According to information submitted by the Bibliotheca Afghanica Foundation (Liesthal, Switzerland), civilian casualties from the end of 1985 to September 1986 are of the order of 10,000 to 12,000.

23. According to statements made by various witnesses to the Special Rapporteur, the governmental forces and/or foreign troops continue to bomb villages, cultivated land and water reservoirs as well as to kill animals in order to deprive the population of their subsistence and force them to leave the rural areas either to seek refuge or to seek shelter in the major cities.

24. Several witnesses reported on the use by the armed forces of gas, in which a greenish-coloured substance was released against members of opposition forces hiding in underground passages or karez. The substance reportedly caused serious injuries. The use of chemical weapons has been reported in four instances in Konduz, Paktia, Kabul and Vardak Provinces; the use of napalm and phosphor bombs was reported in four other instances in the provinces of Herat, Paktia and Kabul (twice).

25. The Special Rapporteur was given information about an incident said to have occurred in mid-August 1986 in the village of Garabad, in Konduz Province, during which soldiers first invaded the village in retaliation for an encounter with members of opposition movements and then executed 30 persons, disemboweled a woman with a bayonet and cut off her breasts, and kicked several children to death. Several houses were destroyed and all livestock killed. The witness claimed that he himself had lost 14 family members (three of whom had been killed by bayonets and 11 crushed under the rubble of their house, which had been destroyed by fire).

26. The Special Rapporteur also learned of several incidents in which reprisals were carried out according to an identical pattern: soldiers would retreat after a skirmish, then return to the villages in the vicinity of the combat zone and enter and search the houses, which they subsequently burned, often killing any survivors with bayonets.

27. In one particularly horrible incident, several persons had their throats slit with knives. This incident took place in the village of Siyawachan, in Herat Province, in March 1986. Eleven persons were killed, with one survivor currently receiving medical treatment.

28. Eyewitnesses have informed the Special Rapporteur of civilian deaths during bombing attacks on villages. Some 100 instances of bombardment of civilian targets, or affecting civilian targets were reported during the period under review. According to these witnesses, the bombardments grew particularly intense and numerous after June 1986. Given the large number of incidents, the Special Rapporteur will describe only the following cases, which he believes ought to be brought to the attention of the General Assembly:

(a) In late March 1986, approximately 350 men, women and children were killed in four villages in the Qarabagh District, Ghasni Province;

(b) On 12 April 1986, between 800 and 1,000 civilians were killed by soldiers in the Andkhvoy District of Faryab Province during a bombing raid. Several houses were destroyed during this raid. There have also been reports in the same province of 100 civilians killed during encounters on 5 June 1986 between Afghan troops and opposition fighters;

(c) Following fighting between Afghan troops and members of opposition movements in Kandahar Province in mid-July 1986, approximately 25 civilians were killed.

29. In addition to the incidents mentioned above, the Special Rapporteur personally saw the bodies of women killed during bombings in Paktia Province.

30. On a parallel with these incidents, the Special Rapporteur feels compelled to state that a number of civilians are reported to have been killed during attacks by members of opposition movements. The Special Rapporteur was informed that at least 50 civilians and military personnel had been killed and several others wounded in the explosion of a munitions depot on 27 August 1986 at Qargha in Kabul Province. In addition, a bomb explosion at the Jalalabad airport on 11 August 1986, killed

approximately 16 persons and wounded several others. Leaders of the opposition movements took credit for both these incidents.

31. The Special Rapporteur has already had occasion to discuss the humanitarian activities of the International Committee of the Red Cross (ICRC) in his earlier reports. Since then he has noted an increase in the number of civilian casualties and in the severity of injuries, particularly within the last three or four months of this year. Different sources of information concur that this worsening of the situation is attributable to the intensity of the fighting begun during this period.

32. According to various sources, ICRC undertook an exploratory mission to assess the prospects for resuming its activities in Afghanistan and to set up a facility that would enable it to resume its humanitarian work.

33. As stated in earlier reports, the main types of action which have caused deaths and casualties, in particular among the civilian population of Afghanistan, are bombardments, shelling and massacres in reprisal, acts of brutality committed by armed forces, and the use of anti-personnel mines and booby-trap toys. The Special Rapporteur learned that chemical fertilizers, so-called "seism" mines, anti-personnel mines and booby-trap toys were still used. He was also informed of the use of toy-bombs inside houses.

34. During visits to hospitals at Quetta and Peshawar in September 1986, the Special Rapporteur was able to obtain statistics on civilian casualties. There was a notable increase in the number of wounded since May 1985, peaking in July and August 1986. It was explained to the Special Rapporteur that this aggravation was due to the intensity of fighting which had taken place in Paktia, Paktika, Nangarhar, Herat and Paryab Provinces. For example, in a single hospital, 3,344 patients had been hospitalized between January and July 1986, for either bullet or shrapnel wounds.

(c) Use of anti-personnel mines and booby-trap toys

35. The Special Rapporteur has already reported to the General Assembly on the use of anti-personnel mines and booby-trap toys (A/40/843, paras. 90-93). He was able to see and speak to wounded children whose injuries were caused by the use of these horrible weapons.

36. In the course of talks held in September 1986, the Special Rapporteur received information which confirmed that the Afghan and/or foreign armed forces were using anti-personnel mines and booby-trap toys of increasingly varied types.

37. As regards injuries sustained by children, the Special Rapporteur himself observed that they generally comprise serious leg and hand wounds which frequently result in amputations; this, he was told, was the result of explosions of booby-trap bombs in the form of toys, of anti-personnel mines or of bombardments. The following cases may serve as illustrations:



(a) A child of two years, hospitalized at Makka El Mukarramma, at Quetta, is currently undergoing treatment for severe burns sustained on both legs in a fire which totally destroyed his house in July 1985, after a bombing attack on his village, located in Ghasni Province;

(b) A 17-year-old girl from Ghasni Province had her face completely disfigured by burns in a fire which started when her house was bombed. A piece of shrapnel in her abdomen also injured her entire genital system, for which she is now receiving intensive care. She said that her entire family had been killed during the incident;

(c) In March 1986, a 13-year-old child from Mazar-e-Sharif in Balkh Province was seriously wounded by exploding knife-like shrapnel. During this incident, which occurred during an aerial bombing, 7 members of his family and 60 other inhabitants of the village perished;

(d) A 16-year-old boy, a native of Paktika, had his left leg amputated following the explosion of an anti-personnel mine in July 1986.

38. According to information obtained during the recent visit, booby-trap toys have been distributed along the entire length of the Nisamsha-Khost border in the Bangidar Valley, in Paktia Province.

**(d) Acts of brutality committed by armed forces and other examples of warfare contrary to humanitarian standards**

39. During the period under consideration, the Special Rapporteur received information confirming that acts of brutality by the armed forces had taken place during military operations throughout the country. He can only recall the incidents described in document A/41/778, which are largely typical of the atrocities committed, particularly during raids or retaliatory attacks against villages.

40. Looting is reported to happen frequently during house and village searches. In particular money and jewellery are requested and people who are unable or unwilling to give them are shot.

41. In his previous reports, the Special Rapporteur has considered the treatment of prisoners by both sides. He refers therefore to paragraphs 98 and 99 of his previous report to the General Assembly (A/40/843) and paragraphs 98 and 100 of his latest report to the Commission on Human Rights (E/CN.4/1986/24). New information has both confirmed previous findings and brought new elements to light. The following examples refer to the treatment of prisoners captured by opposition movements: a member of the Khad is reported to have been executed on the Jalalabad Turkmen highway; in Mangarhar a political chief has been executed after "trial"; and a captured Russian pilot has been killed near Ghasni. However, one reliable witness stated that prisoners are treated in accordance with Surah LXXVI (8) of the Koran, entitled Al-Insan or Ad-Daha ("man" or "time"), which calls on man to "feed with food the needy wretch, the orphan and the prisoner ...". Prisoners captured by governmental forces are either executed or brought to trial and sentenced.

Sometimes prisoners are exchanged but without using ICRC as an intermediary. For instance, in Herat a Russian soldier was exchanged against seven mujahiddin and three militiamen. In the Mainchi Daily News (28 March 1986) it was reported that the last of the Soviet pilots had been released, and that the agreement between ICRC and opposition movements on two Soviet prisoners taken in 1982 could no longer be respected, since the opposition movements had found that the conditions were not being observed. According to information, Afghan prisoners were visited in May 1986 by a Red Cross delegation.

42. One reliable witness told the Special Rapporteur that when opposition movements took prisoners they were treated in accordance with the shariah. A Reuters press release of 12 November 1985 must be mentioned in this context; it refers to a Tass Agency report that a Soviet soldier serving in Afghanistan stated that he had been tortured, beaten and starved while held in captivity by an opposition movement.

43. It should be noted again that, concurrently with humanitarian action to provide protection and assistance for military and civilian victims in situations of conflict, ICRC has launched a campaign to inform the Afghan population, and in particular elements of the opposition movements, not only about the historical background and activities of ICRC but also of the obligation of members of armed forces and combatants to observe the humanitarian commitments flowing from humanitarian law, in particular the Geneva Conventions. These instructions, which show how closely these obligations are linked with principles enshrined in the shariah, were allegedly accepted with interest and understanding by representatives of the opposition movements. ICRC publishes a strip cartoon in languages spoken in Afghanistan and a commentary on the four Geneva Conventions of 12 August 1949.

44. The Special Rapporteur has been informed that the Minaret of Herat, the Chesht Mosque and the Herat Great Mosque Jami have been destroyed. These are monuments to which the Convention for the Protection of Cultural Property in the event of Armed Conflict of 14 May 1954 must apply. In response to his letter to the United Nations Educational, Scientific and Cultural Organization requesting additional information, the Special Rapporteur received the following reply on 24 February 1986:

"As part of the international campaign to save the monuments of Herat, and at the request of the national authorities, UNESCO dispatched a consultant, Professor Andrea Bruno of Italy, on a mission to Afghanistan from 23 December 1985 to 6 January 1986. The purpose of the mission was to update the campaign plan of action.

"Professor Bruno visited only Kabul, where he held technical consultations with the competent authorities in charge of monument preservation. In view of the instructions of the United Nations Security Co-ordinator in New York, no visit to the Herat region was scheduled, nor did the Kabul authorities propose any such visit. Consequently, Professor Bruno was unable to obtain any on-site information regarding the monuments mentioned in your aforementioned letter."

45. Apart from the direct consequences of the conflict on the cultural heritage of Afghanistan (see para. 44), the Special Rapporteur has received information indicating a consistent pattern of actions designed to obliterate the evidence of the cultural heritage, mainly through neglect or the side-effects of hostilities. Furthermore, this information shows a deliberate effort to stifle artistic activities and cultural life; museums have suffered, libraries have been destroyed, and artists have been killed or have sought refuge abroad.

(e) Conscription, including of children

46. The Special Rapporteur was informed that, in 1982, the regulations concerning the age for drafting into the army had been lowered to 15 years. There was forced conscription and the term of military service rose from two to three years in 1982 and then to four years in 1984.

47. The Special Rapporteur has learned that such conscription continues, depriving universities and schools of male students. In addition, it would appear that the conscription system is governed by severe discriminatory methods: for example, students from families belonging to the Communist Party or sympathizing with it have the privilege of not joining the army at the age of 15, thus having a chance to continue their studies, at home or abroad. A new feature of conscription has been reported by various reliable persons: political prisoners who have benefited from the amnesty following the commemoration in April 1986 of the Saur Revolution were immediately drafted into the Afghan army. Some of them have served in the militia, where their task has been to pick up young men who are old enough to be conscripted in order to draft them into the army.

(f) Situation of "internal refugees" or displaced persons in Afghanistan

48. As the Special Rapporteur already stated in his previous reports, the instability created by events in Afghanistan since 1979 has led to a massive exodus not only to other countries, particularly Pakistan and the Islamic Republic of Iran, but also from rural areas to the towns.

49. The situation of internal refugees or displaced persons has not changed since the Special Rapporteur described it in paragraphs 63 to 66 of his previous report to the General Assembly (A/40/843). In addition, the Special Rapporteur has learned that the Government intends to displace 300,000 persons from the eastern provinces to the south-western provinces. According to information available, most of the population concerned has already sought refuge in Pakistan (see A/41/778, para. 29).

**3. Consequences of the human rights situation in Afghanistan in general and of the conflict for economic, social and cultural rights**

50. A faithful survey of the economic, social and cultural situation inside Afghanistan can be made only if the Special Rapporteur is permitted to visit the country. Therefore, the Special Rapporteur is obliged to restrict himself to information which he considers reliable in analysing the consequences of the conflict for the enjoyment of economic, social and cultural rights in Afghanistan. The general survey of the enjoyment of these rights made by the Special Rapporteur in his report to the General Assembly (A/40/843, paras. 102-105) and in the report to the Commission on Human Rights (E/CN.4/1986/24, paras. 102 to 114) is still valid. The Special Rapporteur is still of the opinion that, when considering the effectiveness of these rights, it must be taken into consideration that, because of the conflict, the Government appears to control only a relatively small part of the country, other parts being controlled by traditional forces or becoming a kind of no-man's land where the civilian population has largely left, villages are partly or completely destroyed and the agricultural infrastructure has been systematically devastated.

51. In a study entitled "The legal status of the Afghan resistance movement" (1986, p. 7), Mr. Tabibi has described the administrative situation of and in the country as follows:

"Eighty per cent of the country is now under the control of the resistance forces and the commanders have their own administration, schools, hospitals, post offices and tax system in every province. Hazarajat is in the centre of the country with a population of 2 million and, since the beginning of the Russian invasion, has governed itself independently under its own local administration. Panjshir has been governed for a long time by its own commander, Massoud, the 'Lion of Panjshir', with a tax system, separate economy and agricultural policy. Panjshir's independence was even recognized by Russian military commanders, who signed the treaty of non-intervention in the area for one year. It is noteworthy that, when making this arrangement, the Soviet commanders did not invite their puppet régime to participate. Nangarhar, Vardak, Paktia, Kunder, Herat and Kandahar are also governed by their local leaders."

In addition, a reliable person with access to the country has reported that the Pargan area is under Jamiat administration; even large parts of the Panjshir valley and of the Kunar (Eastern Nuristan) are under traditional administration.

52. In these parts of the country, there is a traditional administration and, with the aid of Afghan relief committees, a number of health services exist and educational structures have been established.

53. Nevertheless, large parts of the country do not possess an adequate health service or an organized educational system. Thousands of children in particular are suffering from this conflict, and the Special Rapporteur wishes to repeat the

findings contained in paragraphs 102 (destruction of agricultural infrastructure), 105 (Afghan Labour Code and its restricted application), 106 to 109 (situation of the medical services) and 112 (situation in Kabul) of his most recent report to the Commission on Human Rights (E/CN.4/1986/24).

54. In the government-controlled areas efforts are being made to realize economic, social and cultural rights with foreign aid. For instance, it is reported that the Government of Afghanistan has concluded an agreement with the Government of the Union of Soviet Socialist Republics to establish 10 new technical vocational schools, a language centre and an industrial technicum. These institutions will be set up in Kahul, Shibarghan, Mazar-i-Sherif, Lashkar Gah, Jhumri and Kandahar. In a speech delivered on 27 May 1986, Mr. Najib said that there were 85 private industries in Balkh Province, but only 42 of them were operating.

55. It must be added that, according to information received from various medical staff in different hospitals for Afghan refugees and wounded persons in Pakistan, patients who had been in hospitals in Afghanistan in government-controlled areas had not been properly treated because of the lack of well-trained Afghan doctors in Afghanistan.

56. As stated in previous reports, according to various reliable sources ICRC has been negotiating an agreement with the Afghan authorities. These discussions, along with visits to various hospitals, allowed principles to be worked out for an ICRC operation involving protection for prisoners and assistance, in particular medical aid, for Afghanistan. Further discussions in the near future will focus on the scope of these activities and how they can be put into practice.

57. However, it seems that, even if ICRC hospitals were installed in government-controlled areas, they would not admit wounded or sick persons belonging to or suspected of belonging to opposition movements. Therefore, the Special Rapporteur is of the view that in the present circumstances the renewal of ICRC activities inside Afghanistan would only benefit a very restricted part of the population, as those in areas not under government control would only receive ICRC medical care if they sought refuge in Pakistan.

58. According to the testimony of a doctor experienced in health problems in the field, the presence of any medical service would automatically lead to the destruction of neighbouring villages; it is thus becoming increasingly difficult to provide appropriate medical services under the current circumstances. In addition, the medical corps is grossly inadequate. For example, of 2,000 physicians practising at Jalalabad and Kabul in 1980, only 675 remain today. Pharmacists, too, are under the control of the authorities and the purchase of any medication for the needs of the rural population is forbidden, with violators liable to arrest and interrogation as potential opposition sympathizers. Finally, no child immunization programmes exist outside Kabul. This situation is the result of the conflict; in addition, the fact that the opposition movements control certain provinces makes it difficult to establish an adequate infrastructure for implementing a nation-wide immunization programme. Nevertheless, the Special Rapporteur was informed that the United Nations Children's Fund (UNICEF), under an agreement with the Afghan authorities, is about to launch an immunization programme for all Afghan children throughout the country, in urban as well as rural areas.

59. There are three main points to be drawn from an analysis of the information transmitted to the Special Rapporteur regarding the general situation in Afghanistan:

(a) The efforts of the Afghan authorities are directed primarily against the economic structures which form the basis of the rural population's survival. Thus the authorities are slaughtering cattle, destroying irrigation systems and putting pressure on the small number of farmers to collaborate with the authorities and send their children into the military, or else risk having their harvests confiscated or even destroyed;

(b) Action is also being directed against school and health facilities;

(c) Action is being taken to neutralise tribal areas.

60. The situation regarding the right to education has been dealt with objectively in Les Nouvelles Afghanistan, No. 19-20, October/November 1984. This information is still valid.

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